

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference W1.2099PCT	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/050378	International filing date (day/month/year) 26.03.2004	Priority date (day/month/year) 28.03.2003
International Patent Classification (IPC) or national classification and IPC		
Applicant KOENIG & BAUER AKTIENGESELLSCHAFT		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 16 sheets, as follows:

☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/050378

Box No. I

Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-42 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 79-81 _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-78 _____ received by this Authority on 17.12.2004 with the letter of 15.12.2004
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/11 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-78	YES
	Claims		NO
Inventive step (IS)	Claims	1-78	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-78	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Reference is made to the following documents:

- D1: EP-A-1 059 800 (XEROX CORP) 13 December 2000
- D2: DE 199 40 879 A (INNOMESS ELEKTRONIK GMBH)
8 March 2001
- D3: US-A-5 384 859 (BOLZA-SCHUNEMANN CLAUS A ET
AL) 24 January 1995
- D4: DE 101 32 589 A (KOENIG & BAUER AG) 23
January 2003
- D5: JOHNSON T: "Methods for characterizing colour
scanners and digital cameras" DISPLAYS,
ELSEVIER SCIENCE PUBLISHERS BV., BARKING, GB,
Vol. 16, No. 4, 1 May 1996 (1996-05-01),
pages 183-191, XP004032520 ISSN: 0141-9382
- D6: WO 98/39627 A (BARRETT-LENNARD DAVID ET AL)
11 September 1998
- D7: US 6 069 973 A (LI HONG ET AL) 30 May 2000
- D8: PATENT ABSTRACTS OF JAPAN Vol. 1999, No. 05,
31 May 1999
- D9: DE-C2_004136461
- D10: DE-U1-020010920
- D11: DE-U1-020303574
- D12: C. Lucht, K. H. Franke: "Qualitätskontrolle

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

von bedruckter, textiler Bahnware -

ausgewählte Lösungsverfahren zur

Farbmusterinspektion": 5th Workshop on Colour

Image Processing, ZBS Publications Series

e.V., Report No. 1/99, Ilmenau, 1999, 9 pages

ISSN 1432-3346; Workshop on 07/08.10.1999

D13: K. H. Franke, H. Kempe, C. Lucht,

"Automatisierung der industriellen Warenschau

bei komplexer gemusterter Bahnware - eine

Herausforderung an die Bildanalyse";

Conference report, 42nd International

Scientific Colloquium, TU Ilmenau 1997,

7 pages

D14: Final report on the co-operative research

project "Neue Bildverarbeitungstechnologien

für die automatisierte optische Kontrolle

strukturierter Oberflächen in die

Produktion", VDMA, Fachgemeinschaft Robotik +

Automation, Industrial Image Processing

Technical department, Frankfurt, 22.10.1999,

125 pages.

1. Claim 1 defines a method for the qualitative evaluation of a material comprising an identification feature, the method involving the following:

- a) the colour image signals for the identification feature that have been captured and evaluated are compared with corresponding setpoint values in order to determine a colour deviation;
- b) the identification feature is then tested

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

- with respect to its affiliation with a specific class of identification features, or with respect to a specific contour or to its arrangement relative to at least one other identification feature of the material;
- c) at least two of these tests are carried out independently of one another in parallel signal paths;
 - d) the tests are carried out in a current printing or processing stage of a machine printing or processing the material, the material being moved past a stationary image sensor;
 - e) a position of the identification feature to be evaluated in the test procedure varies within a range of expectation defined by tolerance limits relative to a printed image on the material or to the edges of the material;
 - f) a position of the position-variant identification feature is determined in one of the parallel signal paths.

1.1 The different features of claim 1 are known *per se* in the field of industrial quality control, but the cited documents do not disclose or suggest diverse and independent testing of identification features (steps a), b) and f) mentioned above) in parallel signal paths.

1.2 The subject matter of claim 1 is thus considered novel and inventive (PCT Article 33(2) and (3)).

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2. Dependent claims 2-78 further restrict the subject matter of claim 1 and therefore the subject matter thereof is also novel and inventive.